

AMENDED IN SENATE FEBRUARY 9, 2007

SENATE BILL

No. 113

Introduced by Senators Calderon, Ashburn, Battin, Migden, and Oropeza

(Coauthor: Senator Padilla)

(Coauthors: Assembly Members Horton and Lieu)

January 22, 2007

An act to amend Sections 1000, 1001, 1201, and 1202 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 113, as amended, Calderon. Elections: presidential primary elections.

Existing law specifies that the presidential primary election be held on the first Tuesday after the first Monday in June in any year evenly divisible by the number 4. Existing law also specifies that the statewide direct primary election be held on the first Tuesday after the first Monday in June of each even-numbered year, and be consolidated with the presidential primary election in any year in which the statewide direct primary election is in a year evenly divisible by the number 4.

This bill would require that the presidential primary election be held on the first Tuesday in February in any year evenly divisible by the number 4. By increasing the duties on county elections officials due to the presidential primary election in February, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

This bill would state the intent of the Legislature to fully reimburse the counties for the costs of these new elections in an expeditious manner upon certification of those costs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) California has the largest population and largest
4 congressional delegation of any state in the union yet California's
5 current June presidential primary election date virtually ensures
6 the presidential nominees for the major political parties will be
7 determined before California voters have an opportunity to cast
8 their ballots.

9 (b) It is vital to restore to California voters the opportunity to
10 vote in a presidential primary election that is timely and meaningful
11 in choosing presidential candidates.

12 (c) Conducting the California presidential primary election on
13 the first Tuesday in February will encourage presidential candidates
14 to campaign in California, and to debate and discuss issues and
15 policies important to the people of California.

16 (d) Conducting the California presidential primary election on
17 the first Tuesday in February will encourage voter registration,
18 voter interest, and voter participation in the 2008 presidential
19 primary election and subsequent presidential primary elections in
20 California.

21 SEC. 2. Section 1000 of the Elections Code is amended to read:
22 1000. The established election dates in each year are as follows:

23 (a) The second Tuesday of April in each even-numbered year.

24 (b) The first Tuesday after the first Monday in March of each
25 odd-numbered year.

26 (c) The first Tuesday after the first Monday in June in each year.

27 (d) The first Tuesday after the first Monday in November of
28 each year.

1 (e) The first Tuesday in February of each year evenly divisible
2 by the number four.

3 SEC. 3. Section 1001 of the Elections Code is amended to read:

4 1001. Elections held in June and November of each
5 even-numbered year and held the first Tuesday in February of each
6 year evenly divisible by the number four are statewide elections
7 and these dates are statewide election dates.

8 SEC. 4. Section 1201 of the Elections Code is amended to read:

9 1201. The statewide direct primary shall be held on the first
10 Tuesday after the first Monday in June of each even-numbered
11 year.

12 SEC. 5. Section 1202 of the Elections Code is amended to read:

13 1202. The presidential primary shall be held on the first
14 Tuesday in February in any year evenly divisible by the number
15 four, and shall not be consolidated with the statewide direct primary
16 held in that year.

17 ~~SEC. 6. If the Commission on State Mandates determines that~~
18 ~~this act contains costs mandated by the state, reimbursement to~~
19 ~~local agencies and school districts for those costs shall be made~~
20 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
21 ~~4 of Title 2 of the Government Code.~~

22 *SEC. 6. It is the intent of the Legislature to fully reimburse*
23 *counties for costs resulting from the presidential primary elections*
24 *added by this act in an expeditious manner upon certification of*
25 *those costs.*